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*Attorneys for Plaintiff*

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

MICHELE ONDEY, on behalf of herself and  
all others similarly situated,

Plaintiff,

vs.

CAESARS ENTERTAINMENT, INC.  
formerly known as ELDORADO RESORTS  
INC.; CIRCUS AND EL DORADO JOINT  
VENTURE, LLC d/b/a SILVER LEGACY  
RESORT CASINO; and DOES 1 through 50,  
inclusive,

Defendants.

Case No.: 3:22-cv-00096-RCJ-CLB

**JOINT STIPULATION AND  
ORDER TO DISMISS INDIVIDUAL  
AND PUTATIVE CLASS CLAIMS**

Plaintiff Michele Ondey (“Plaintiff”), by and through her counsel of record, THIERMAN BUCK, LLP, and Defendants Caesars Entertainment, Inc. and Circus and El Dorado Joint Venture, LLC d/b/a Silver Legacy Resort Casino (collectively, “Defendants”), by and through their counsel of record, LITTLER MENDELSON, P.C. (with Plaintiff and Defendants collectively, “the Parties”), stipulate to the dismissal of the entirety of the putative class and individual claims against Defendants.

Plaintiff filed her class and collective action Complaint against Defendants on February 18, 2022 alleging the following six causes of action on behalf of herself and all others similarly

situated: (1) Unlawful Tip Pooling in Violation of FLSA, 29 U.S.C. § 203(m)(2)(B); (2) Failure to Pay Overtime at the Correct Legal Rate in Violation of 29 U.S.C. § 207, et al.; (3) Failure to Pay Overtime at the Correct Legal Rate in Violation of NRS 608.018 and NRS 608.140; (4) Failure to Pay PTO Wages in Violation of NRS 608.0197 and NRS 608.140; (5) Failure to Pay Daily Overtime in Violation of NRS 608.018 and NRS 608.140; and (6) Failure to Pay Continuation Wages in Violation of NRS 608.020-.050 and NRS 608.140. (ECF No. 1.)

On March 23, 2023, the Parties executed a settlement agreement that resolved all of Plaintiff's individual claims. Specifically, Plaintiff has agreed to dismiss her individual claims with prejudice, and the putative class claims without prejudice. The consideration provided for the individual settlement is memorialized in a confidential settlement agreement, and the terms of the same can be provided to the Court for in camera review should the Court so request.

Since this matter is still early in the litigation process—e.g., the court has not certified the action as a class action, notice of the action has not been provided to putative class members, and no similarly situated employees have opted in to the action—dismissal of the putative class claims without prejudice will not result in any prejudice to putative class members. In light of this, the Parties hereby stipulate to dismiss the putative class-wide claims in the operative complaint of Plaintiff's action against Defendant without prejudice.

Dated: April 12, 2023	Dated: April 12, 2023
<b>THIERMAN BUCK, LLP</b>	<b>LITTLER MENDELSON, P.C.</b>
<i>/s/ Joshua R. Hendrickson</i>	<i>/s/ Amy L. Thompson</i>
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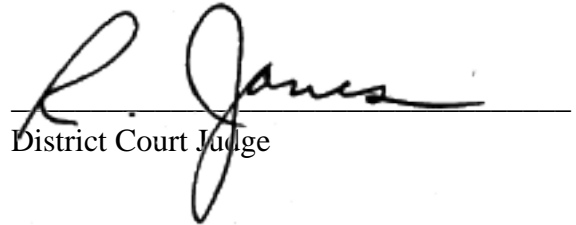
**ORDER**

Having reviewed the Parties' Joint Stipulation to Dismiss Individual and Putative Class Claims Against Defendants Caesars Entertainment, Inc. and Circus and El Dorado Joint Venture, LLC d/b/a Silver Legacy Resort Casino (collectively, "Defendants"), and finding good cause, the Court approves the Joint Stipulation and hereby orders the following:

1. Plaintiff's individual claims are dismissed with prejudice;
2. Plaintiff's alleged class-wide claims are dismissed without prejudice;
3. Because the putative class has not been certified, notice of the pendency of the action has not been provided to putative class members, and no similarly situated employees have opted in to the action, the putative class claims may be dismissed without notice to the putative class members as the Court finds that the dismissal will not prejudice them.

**IT IS SO ORDERED.**

Dated: May 2, 2023

  
District Court Judge